

PATENT

ATTORNEY DOCKET NO.: BAL-99-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re. Application: Barry J. Marshall, et al.)	Art Unit: 1651
)	
Serial No.: 09/977,555)	Examiner: Guo, Lynda T.
)	
Filed: October 15, 2001)	Acct. No.: 04-1403
)	
Title: Method for the Detection of Urease and)	
Method for Using Same)	

Commissioner for Patents
Washington, D.C. 20231

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LETTER

Dear Sirs:

Enclosed is a copy of an Information Disclosure Statement that was submitted on November 13, 2002. Also enclosed is a copy of a return receipt postcard showing that the Patent and Trademark Office received the Information Disclosure Statement and all of the references. Apparently, however, only the list of references reached the Examiner. The references themselves were somehow lost.

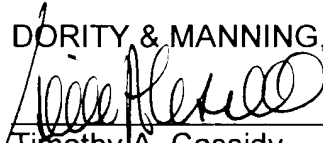
As such, Applicants are hereby resubmitting the Information Disclosure Statement with a copy of all the references. It is believed that no fees are required in order to have the Information Disclosure Statement considered. If any fees do need to be charged against this application, please charge the fees to Deposit Account No. 04-1403.

Should the Examiner have any questions, she is invited to contact the undersigned at her convenience. Further, If Applicants' attorney can assist the

Examiner in reviewing the references, the Examiner is also invited to contact the undersigned.

Respectfully submitted,

DORITY & MANNING, P.A.


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Date:

4/9/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

In re Application of: Barry J. Marshall, et al.

Attorney Docket No.: BAL-99A (16843A)

Serial No.: 09/977,555

Date: November 13, 2002

Filed: October 15, 2001

Art Unit: 3736

Confirmation No.: 1969

Our Account No.: 04-1403

Title: Method for the Detection of Urease and Method for Using Same

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

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Sir:

The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

1. ☒ Attached hereto is:

- a. ☒ A list of materials for consideration per Rule 98(a)(1): 3 page(s)
- b. ☒ A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98(c) and/or (d) and as indicated on the attached list(s):
94 item(s)
- c. ☐ For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: _____

☐ Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.

2. ☒ This Information Disclosure Statement is being filed [CHECK ONE]:

- a. ☒ WITHIN THREE MONTHS of the application filing date or national stage date of entry OR BEFORE the mailing date of a first Office Action on the merits, which ever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(c) certificate is required.
- b. ☐ AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:
 - i. ☐ Certification per Rule 97(e); OR
 - ii. ☐ Filing Fee per Rule 17(p)\$180.00
- c. ☐ AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE per Rule 97(d) submitted herewith is:
 - i. Certification per Rule 97(e); AND
 - ii. Filing fee per Rule 17(p)\$180.00

3. ☐ Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification statement [CHECK ONE]:

- a. ☐ That each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR
- b. ☐ That no item of information contained in this Information Disclosure Statement was first cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

CERTIFYING PARTY (if different from bottom signature; omission here indicates that certification is being made by signer per signature below).

Name: _____
Address: _____

Signature: Anthony J. Marshall
Date: 4-14-03

4.[X] DEPOSIT ACCOUNT AUTHORIZATION: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

5.[X] CERTIFICATE OF MAILING: This Information Disclosure Statement is being filed pursuant to [CHECK AND COMPLETE ONE]:

a.[X] First Class Mail Certificate of Mailing under Rule 8:

I hereby certify that this correspondence and any referenced attachment and/or fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231, on November 13, 2002.

Sandra S. Perkins

(Typed/printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

b.[X] "Express Mail" Certificate under Rule 10:

"Express Mail" - Label No. _____

Date of Deposit _____

I hereby certify that this paper and all attachments and any fee are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patent, U.S. Patent and Trademark Office, Washington, D.C. 20231.

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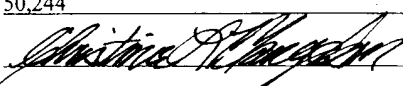
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DORITY & MANNING, P.A.

By: Christina L. Mangelsen, Patent Agent

Reg. No.: 50,244

Signature: 

Date: November 13, 2002